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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/769,204	01/30/2004	Chia-Chi Chung	MXIC-P910041DIV	7565

7590 06/19/2004

Kenton R. Mullins
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Suite 300
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Irvine, CA 92618

EXAMINER

COLEMAN, WILLIAM D

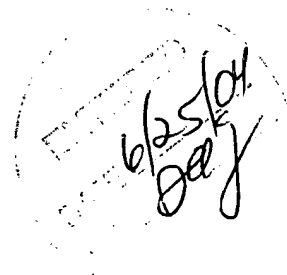
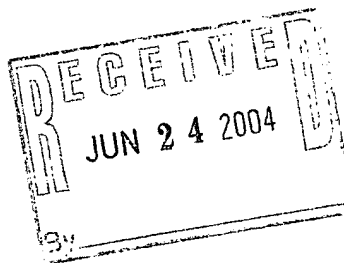
ART UNIT PAPER NUMBER

2823

DATE MAILED: 06/19/2004

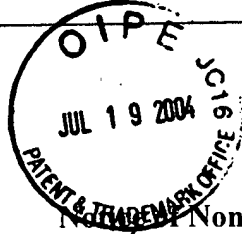
Response Due 7/19/04
Inextendible Deadline

Please find below and/or attached an Office communication concerning this application or proceeding.





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Paper No.

Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 1/30/04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. **Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.** 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

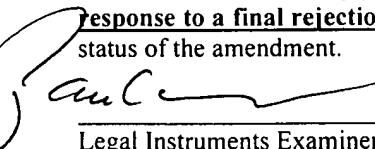
- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☒ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH time limit is not extendable**.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION (including a submission for an RCE)**, and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.


Legal Instruments Examiner (LIE)

571-272-1556
Telephone No.

IFW

Docket: P910041DIV



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Chia-Chi Chung

Serial No.: 10/769,204

Filed: January 30, 2004

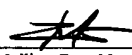
For: NON-VOLATILE MEMORY
DEVICE WITH ENLARGED
TRAPPING LAYER

Examiner: Coleman, William D.

Group Art Unit: 2823

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service, First Class mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 14, 2004.
STOUT, UXA, BUYAN & MULLINS, LLP


Kenton R. Mullins, Reg. No. 36,331

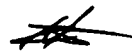
RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Sir:

Submitted herewith are

- ~ Return receipt postcard;
- ~ Copy Notice of Non-Compliant Amendment
- ~ Preliminary Amendment;
- ~ The Commissioner is hereby authorized to charge any needed fees to deposit account 50-1600.

Respectfully submitted,


Kenton R. Mullins
Attorney for Applicants
Reg. No. 36,331

July 14, 2004
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PRELIMINARY AMENDMENT

Sir:

Prior to Examination of the subject application, please amend the claims as reflected in the listing of claims which begins on page 2 of this paper.